

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RANDALL J. ECKMAN, JR.,)	
)	Civil Action No. 22 – 50
<i>Plaintiff,</i>)	
)	District Judge David S. Cercone
v.)	Magistrate Judge Lisa Pupo Lenihan
)	
PENNSYLVANIA BOARD OF)	
PROBATION AND PAORLE,)	
)	
<i>Defendant.</i>)	

MEMORANDUM ORDER

This matter comes before the Court on a Report and Recommendation (“R&R”) entered by Magistrate Judge Lisa Pupo Lenihan on May 4, 2022. (ECF No. 13.) The R&R recommends that this case be dismissed with prejudice for Plaintiff’s failure to prosecute insofar as he failed to comply with Court orders. Service of the R&R was made on Plaintiff by mail, and any objections were due by May 23, 2022. Plaintiff, however, did not file any objections to the R&R.

The Federal Rules of Civil Procedure provide that a party may file specific written objections to the proposed findings and recommendations of a magistrate judge, and a district judge must conduct a *de novo* review of any part of the R&R that has been properly objected to. Fed. R. Civ. P. 72(b)(2), (b)(3); 28 U.S.C. § 636(b)(9)(1). Here, however, because no party filed any objections to the R&R, this Court reviews the magistrate judge’s decision for plain error. *See Tice v. Wilson*, 425 F. Supp. 2d 676, 680 (W.D. Pa. 2006); *see also* Fed. R. Civ. P. 72(b),

Advisory Committee Notes (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”).

In this case, upon careful review of the R&R and the entire record, and finding no plain error on the face of the record, the Court will accept Judge Lenihan’s recommendation.

Accordingly, the following Order is now entered.

AND NOW this 7th day of July, 2022,

IT IS HEREBY ORDERED that the R&R (ECF No. 13) is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that this case is dismissed with prejudice for Plaintiff’s failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that, pursuant to Federal Rule of Appellate Procedure 4(a)(1), if Plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing an appeal as provided for in Federal Rule of Appellate Procedure 3.

s/David S. Cercone
David S. Cercone
Senior United States District Judge

Cc: Randall J. Eckman, Jr.
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